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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|----------------------|------------------------|-------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/693,635 | |
| | Filing Date | Oct 24, 2003 | |
| | First Named Inventor | Davis, Scott | |
| | Art Unit | 3745 | |
| | Examiner Name | White, D. | |
| Total Number of Pages in This Submission | 6+ | Attorney Docket Number | 234.1007.01 |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form SB08A Copies of References Return Postcard |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

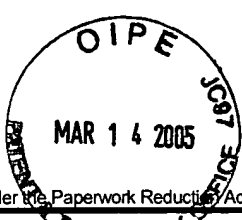
| | | |
|-------------------------|----------------------|-----------------|
| Firm or Individual name | Steven A. Swernofsky | Reg. No. 33,040 |
| Signature | | |
| Date | 3-9-2005 | |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Type or printed name | Dede Stoll | | |
| Signature | | Date | 3/9/2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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22883

PTO/SB/17 (10-03)

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| | | | |
|---|--|--------------------------|-------------|
| FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small> | | Complete if Known | |
| | | Application Number | 10/693,635 |
| | | Filing Date | 10/24/2003 |
| | | First Named Inventor | Davis |
| | | Examiner Name | White, D. |
| <input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27 | | Art Unit | 3745 |
| TOTAL AMOUNT OF PAYMENT (\$) 180.00 | | Attorney Docket No. | 234.1007.01 |

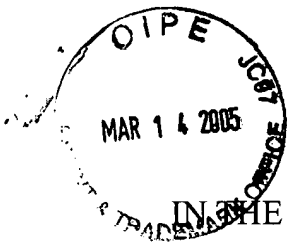
| | | | | | | | |
|---|---------------------|---|---------------------|------------------------|-----------------|--|----------|
| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | | | | | |
| <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | | | | | | |
| <input checked="" type="checkbox"/> Deposit Account | | | | | | | |
| Deposit Account Number: 50-0365 | | | | | | | |
| Deposit Account Name: Swernofsky Law Group PC | | | | | | | |
| The Director is authorized to: (check all that apply) | | | | | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments | | | | | | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) | | | | | | | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | | | | |
| FEE CALCULATION | | | | | | | |
| 1. BASIC FILING FEE | | 3. ADDITIONAL FEES | | | | | |
| Large Entity | Small Entity | Large Entity | Small Entity | Fee Description | Fee Paid | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | | | |
| 1001 | 790 | 2001 | 395 | Utility filing fee | | | |
| 1002 | 350 | 2002 | 175 | Design filing fee | | | |
| 1003 | 550 | 2003 | 275 | Plant filing fee | | | |
| 1004 | 790 | 2004 | 395 | Reissue filing fee | | | |
| 1005 | 200 | 2005 | 100 | Provisional filing fee | | | |
| SUBTOTAL (1) (\$) 0.00 | | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| | | 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| | | 1053 | 130 | 1053 | 130 | Non-English specification | |
| | | 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| | | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| | | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| | | 1251 | 120 | 2251 | 60 | Extension for reply within first month | |
| | | 1252 | 450 | 2252 | 225 | Extension for reply within second month | |
| | | 1253 | 1,020 | 2253 | 510 | Extension for reply within third month | |
| | | 1254 | 1,590 | 2254 | 795 | Extension for reply within fourth month | |
| | | 1255 | 2,160 | 2255 | 1,080 | Extension for reply within fifth month | |
| | | 1401 | 500 | 2401 | 250 | Notice of Appeal | |
| | | 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | |
| | | 1403 | 1,000 | 2403 | 500 | Request for oral hearing | |
| | | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| | | 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| | | 1453 | 1,370 | 2453 | 685 | Petition to revive - unintentional | |
| | | 1501 | 1,400 | 2501 | 700 | Utility issue fee (or reissue) | |
| | | 1502 | 800 | 2502 | 400 | Design issue fee | |
| | | 1503 | 1,100 | 2503 | 550 | Plant issue fee | |
| | | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| | | 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| | | 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | \$180.00 |
| | | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| | | 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| | | 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| | | 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) | |
| | | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| | | Other fee (specify) _____ | | | | | |
| SUBTOTAL (2) (\$) 0.00 | | Reduced by Basic Filing Fee Paid | | | | | |
| ** or number previously paid, if greater; For Reissues, see above | | SUBTOTAL (3) (\$) 180.00 | | | | | |

| | | | | | |
|---------------------|-----------------------------|-----------------------------------|--------|-----------|--------------|
| SUBMITTED BY | | Complete (if applicable) | | | |
| Name (Print/Type) | Steven A. Swernofsky | Registration No. (Attorney/Agent) | 33,040 | Telephone | 650-947-0700 |
| Signature | <i>Steven A. Swernofsky</i> | | | Date | 3-9-2005 |

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22883

Attorney Docket 234.1007.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Davis
Serial No. 10/693,635
Filed: 10/24/2003
For: Heteroscopic Turbine

Art Unit: 3745
Examiner: White, D.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

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Alexandria, VA 22313-1450

on 3/9/2005 by [Signature]
Date Name

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted under:

- ☐ 37 CFR 1.97(b)
(Within three months of the national application filing or the entry of international application, OR before the mailing date of first Office Action, whichever occurs last.)
- ☒ 37 CFR 1.97(c) together with either a:
☐ Statement under 37 CFR 1.97(e)
or ☒ \$180.00 fee set forth in 37 CFR 1.17(p)
(After the CFR 1.97(b) time period, but before final Office Action or Notice of Allowance, whichever occurs first.)
- ☐ 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e)
and ☐ \$180.00 fee set forth in 37 CFR 1.17(p)
(After the CFR 1.97(c) time period, but before payment of the Issue fee.)

03/16/2005 HMARZI1 00000014 500365 10693635

01 FC:1806 180.00 DA

List of Documents

Applicant(s) submits herewith:

- ☒ Form PTO SB/08A (Information Disclosure Statement by Applicant) listing patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.
- ☐ Form PTO SB/08B (Information Disclosure Statement by Applicant) listing non-patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.

Copies of Documents

- ☒ Applicant(s) submits herewith copies of all listed documents.
- ☐ Copies of the listed documents are not included with this filing. Copies of these documents were previously submitted in the following related application:

Docket No.: _____
Serial No.: _____
Filed: _____

THE EXAMINER IS ENCOURAGED AND EXHORTED TO MAKE HIS OR HER OWN INDEPENDENT EVALUATION OF POSSIBLE RELEVANCE OF THE LISTED DOCUMENTS.

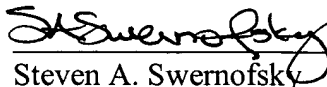
At the present time, Applicant(s) submits that the listed document(s), taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

In the event fees are required, authorization is hereby granted to charge these fees to Deposit Account No. 50-0365.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

Date: 3-9-2005


Steven A. Swernofsky
Reg. No. 33,040

Swernofsky Law Group
P.O. Box 390013
Mountain View, CA 94039-0013
(650) 947-0700

Please type a plus sign (+) inside this box

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| Substitute for form 1449A/PTO | | | | MAR 14 2005 | | | | Complete if Known | | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Application Number | | 10/693,635 | | | | | |
| | | | | Filing Date | | 10/24/2003 | | | | | |
| | | | | First Named Inventor | | Davis | | | | | |
| | | | | Group Art Unit | | 3745 | | | | | |
| | | | | Examiner Name | | White, D. | | | | | |
| | | | | Attorney Docket Number | | 234.1007.01 | | | | | |
| Sheet | 1 | of | 1 | | | | | | | | |

[illegible][illegible]

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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